

REMARKS

Claims 1-4, 12-19 and 28-31 were pending in this application. Claims 5-11 and 20-27 were canceled. Claims 1-3 are currently amended. Therefore claims 1-4, 12-19 and 28-31 will be pending upon entry of the instant amendment. Support for currently amended claims 1-3 can be found throughout the specification as filed.

No new matter has been added. Amendments to the claims should in no way be construed as an acquiescence to any of the Examiner's objections. The amendments to the claims are being made solely to expedite prosecution of the above-identified application. Applicants reserve the option to further prosecute the same or similar claims in the present or another patent application. The amendments made to the claims are not related to any issues of patentability.

Rejection of Claims 1-4, 12-19 and 28-31 under 35 U.S.C. § 102(b)

The final Office Action states that Claims 1-4, 12-19, and 28-31 are rejected under 35 U.S.C 102(b) as being anticipated by Elsaesser et al. Also, the final Office Action states that "Elsaesser et al. disclose molecular compounds ... CAS registry numbers 167466-34-5 and 168766-38-9 (see US Pat. Cols 3-4 and phenolic compounds of formula III)" and "Elsaesser et al. do in fact disclose a diphenyl hydrocarbon derivative which has a carbonyl group in an ortho position to the hydroxyl group."

Applicants respectfully disagree for the following reasons. Formula (III) of Elsaesser et al, has -CH₂- connecting two phenols, and each phenol may be substituted with -CO-R₄, R₃, and OH, where R₃ is alkyl (column 4, line 10). Thus, the formula of Elsaesser et al. Does not have a phenol substituted with -SO₂-Y.

In contrast, when R₃ of Formula (I) in Claim 1, as amended, is Formula (II) or (III) and X is -(CR₁₄R₁₅)_n-, the diphenyl hydrocarbon combining Formula (I) with Formula (II) or (III) must have -SO₂-Y, not -CO-Z.

Therefore, the diphenyl hydrocarbon which has -CH₂- connecting two phenols and must have -SO₂-Y is not anticipated by Elsaesser et al. Therefore, the molecular compound prepared from the diphenyl hydrocarbon of the present invention is novel.

In addition, Formula (IV) and (V) of amended Claims 2 and 3 are not anticipated by Elsaesser et al. for the same reason as above.

Moreover, Formula (VI) of Claim 4 does not encompass a diphenyl hydrocarbon which has $-CH_2-$ connecting two phenols, and thus cannot be anticipated by Elsaesser et al.

In view of the foregoing, Applicants submit that claims 1-4, and claims 12-19 and 28-31 dependent therefrom, are novel in view of Elsaesser et al. and respectfully request withdrawal of the rejection under 35 U.S.C. § 102(b) and reconsideration of the claims.

Rejection of Claims 4, 15, 19, and 31 under 35 U.S.C. § 102(b)

The final Office Action states that Claims 4, 15, 19, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Schofield et al. Also, the final Office Action states that “the presently claimed molecular compound is disclosed by Schofield et al. {see Beilstein Registry Number 3128755.}”

A compound of Claim 4 in the present invention is a molecular compound which is selected from the group consisting of hydrate, solvates, adducts, and clathrate compounds prepared by the method of reacting a phenol derivative represented by Formula (VI).

As a preliminary matter, Applicants note that Schofield et al. only discloses a Richter synthesis and does not disclose the synthesis of any molecular compound falling within the claim, including the 2, 5-diacetylphenol. Moreover, even if it did disclose 2, 5-diacetylphenol (Beilstein Registry No. 3128755), this compound does not fall within Claim 4, and claims 15, 19 and 31 dependent therefrom. Accordingly, Applicants respectfully request that this rejection be withdrawn.

Conclusion

In view of the above amendment, Applicants believe the pending application is in condition for allowance.

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Respectfully submitted,

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